

SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

SUBJECT: Resolution / Sidewalk, Drainage and Utility Easement for Property Needed for the Country Club Road Sidewalk Project

DEPARTMENT: Public Works

DIVISION: Engineering

AUTHORIZED BY: Gary Johnson

CONTACT: Warren Lewis

EXT: 5658

MOTION/RECOMMENDATION:

Approve and authorize the Chairman to execute a Resolution accepting a Sidewalk, Drainage and Utility Easement (City of Sanford to Seminole County) for property needed for the Country Club Road Sidewalk Project.

District 5 Brenda Carey

Jerry McCollum

BACKGROUND:

Construction of a sidewalk along Country Club Road will require property not currently owned by Seminole County. (Capital Improvement Project # 191640). The City of Sanford has indicated their willingness to donate, at no cost, a Sidewalk, Drainage and Utility Easement as evidenced by the attached document.

STAFF RECOMMENDATION:

Staff recommends the Board approve and authorize the Chairman to execute a Resolution accepting a Sidewalk, Drainage and Utility Easement (City of Sanford to Seminole County) for property needed for the Country Club Road Sidewalk Project, between Rantoul Lane and CR-46A.

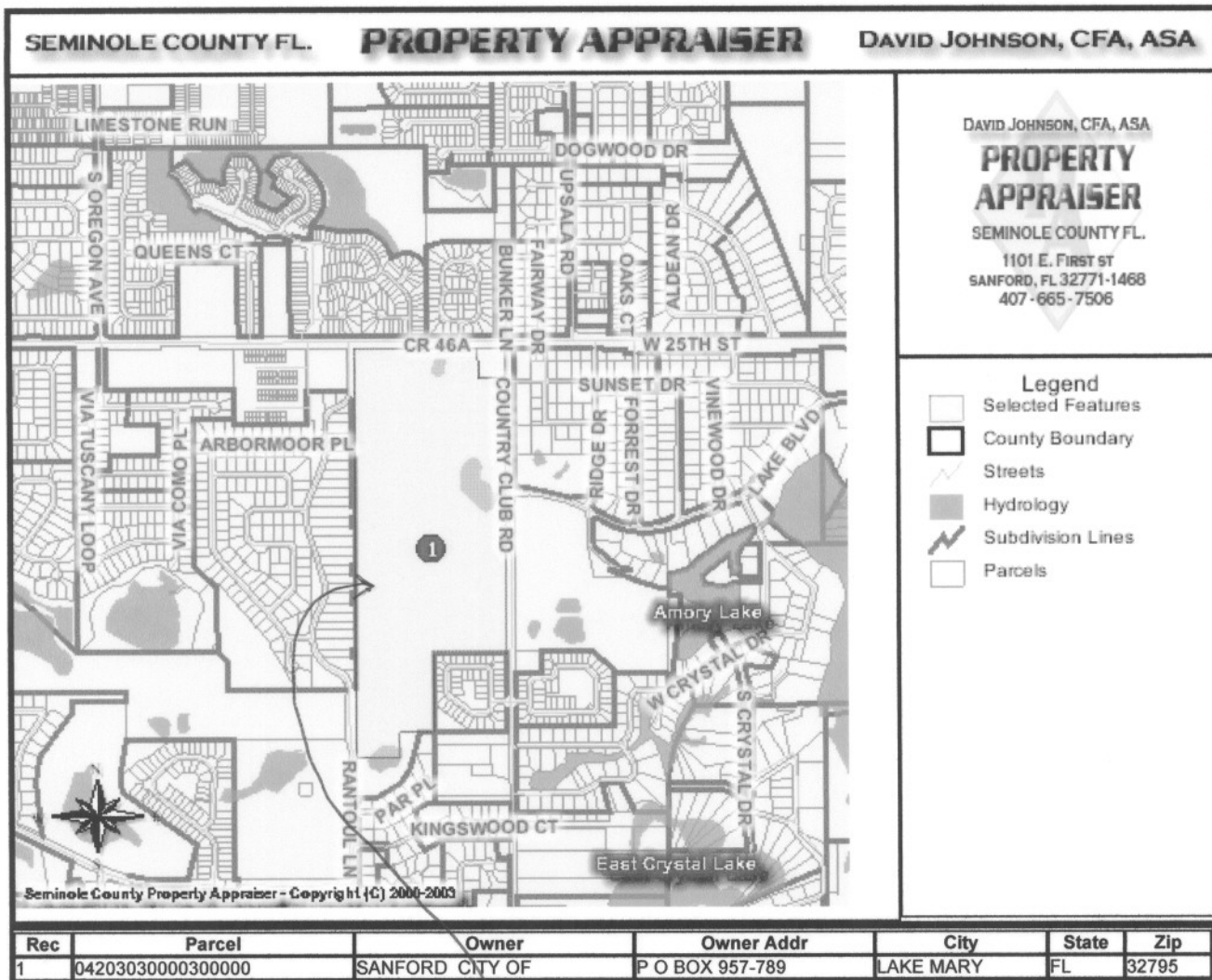
ATTACHMENTS:

1. Location Map
2. Sidewalk, Drainage and Utility Easement-Country Club Road

Additionally Reviewed By:

☒ County Attorney Review (Matthew Minter)

Location Map



Subject Parcel

This instrument prepared by:
Susan E. Dietrich
County Attorney's Office
Seminole County Government
1101 East First Street
Sanford, FL 32771

SIDEWALK, DRAINAGE AND UTILITY EASEMENT

THIS SIDEWALK, DRAINAGE AND UTILITY EASEMENT is made and entered into this 20th day of September, 2007, by and between the **CITY OF SANFORD**, a Florida municipal corporation, whose mailing address is Post Office Box 1788, Sanford, Florida 32772-1788, hereinafter referred to as the "GRANTOR", and **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as the "GRANTEE".

W I T N E S S E T H:

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the GRANTOR does hereby grant and convey to the GRANTEE, its successors and assigns an exclusive permanent easement and right-of-way for sidewalk, drainage and utility purposes, including the right to enter upon, locate, excavate, construct, repair, operate and maintain, as the GRANTEE, its successors and assigns may deem necessary, a sidewalk, drainage system and utility facilities consisting of pipes and ditches together with appurtenant drainage structures and any other drainage and utility facilities necessary to convey storm water over, across, through and under the following lands hereinafter described as the "easement area", situate in the County of Seminole, State of Florida, to-wit:

SEE LEGAL DESCRIPTIONS AND SKETCH OF DESCRIPTIONS ATTACHED HERETO AS EXHIBITS "A-1", "A-2", "B-1", "B-2", "C-1" AND "C-2"

Property Appraiser's Parent Parcel Identification Nos:
04-20-30-300-0030-0000 and 04-20-30-300-003A-0000

TO HAVE AND TO HOLD said sidewalk, drainage and utility easement unto said GRANTEE, its successors and assigns forever.

GRANTEE, its successors and assigns shall have the right to access, clear, keep clear and remove from said easement and right-of-way all trees, undergrowth and other obstructions that may interfere with location, excavation, operation, repair or maintenance of the sidewalk, drainage system or utility facilities or any structures installed thereon by the GRANTEE, its successors and assigns, and the GRANTOR, its successors and assigns agree not to build, construct or create, or permit others to build, construct or create any buildings or other structures on said easement that may interfere with the location, excavation, operation, repair or maintenance of the sidewalk, drainage system or utility facilities or any structures installed thereon.

GRANTEE shall maintain the sidewalk within the easement area in good condition and repair and shall restore the easement area outside of the new sidewalk construction to its original or better condition, after installation, repair or maintenance of any sidewalk improvements. The GRANTEE, its successors and assigns agree not to build, construct or create any improvements other than a sidewalk, drainage system or utility facilities installed thereon or thereunder.


GRANTEE as part of the consideration for this grant, agrees to the extent permitted by Section 768.28, Florida Statutes, to hold harmless and indemnify the GRANTOR against any and all claims, losses, damages or lawsuits for damages, arising from, allegedly arising from, or related to GRANTEE's construction, operation, repair, or maintenance of the sidewalk, drainage system or utility facilities within said easement area. GRANTOR agrees that, to the extent it receives or has actual knowledge of any hazardous or potentially hazardous condition in the easement area, it shall provide written notification thereof to the GRANTEE.

GRANTOR does hereby covenant with the GRANTEE, that it is lawfully seized and possessed of the real estate above described, that it has a good and lawful right to convey said easement and that the easement is free from all encumbrances.

IN WITNESS WHEREOF, the GRANTOR has hereunto set its hand and seal the day and year first above written.

ATTEST:

CITY OF SANFORD


Janet K. Dougherty
JANET DOUGHERTY, City Clerk

By: *Linda Kuhn*
LINDA KUHN, Mayor

[ATTESTATIONS CONTINUED ON PAGE 3]

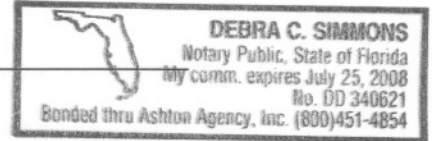
STATE OF FLORIDA)
)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 20th day of SEPTEMBER, 2007, by LINDA KUHN, as Mayor of the City of Sanford, who is personally known to me and who did take an oath.



Print Name DEBRA C. SIMMONS
Notary Public in and for the County
and State Aforementioned

My commission expires: _____



Attachments:

Exhibits "A-1", "A-2", "B-1", "B-2", "C-1", "C-2" - Legal
Descriptions and Sketch of Descriptions

SED/lpk
8/10/07

P:\Users\lkennedy\My Documents\Public Works\Sidewalk Drainage Utility Easement-Sanford.doc



EXHIBIT "A-1"**DESCRIPTION:**

A portion of the Northwest 1/4 of the Northeast 1/4 of Section 4, Township 20 South, Range 30 East, Seminole County, Florida, being more particularly described as:

Commence at the Northeast corner of the Northwest 1/4 of the Northeast 1/4 of said Section 4; thence along the East line of the Northwest 1/4 of said Section 4 South 00°22'47" East, 184.42 feet to a line perpendicular to said West Line; thence along said perpendicular line South 89°37'13" West, 27.62 feet to the Westerly Right of Way Line of Country Club Road, as recorded in Plat Book 5, Pages 72-73, Public Records of Seminole County, Florida, said point being the POINT OF BEGINNING; thence along Westerly Right of Way Line South 01°01'04" East, 403.04 feet; thence departing aforesaid Westerly Right of Way Line, North 89°56'15" West, 4.00 feet; thence North 00°47'57" West, 352.55 feet; thence North 89°56'15" West, 3.48 feet; thence North 00°03'45" East, 50.45 feet; thence North 89°57'04" East, 5.18 feet to the POINT OF BEGINNING.

Containing 1,459 square feet, more or less.

SURVEYORS NOTES:

1. Bearings shown hereon are based on the East Line of the Northwest 1/4 of the Northeast 1/4 of Section 4, Township 20 South, Range 30 East, being North 00°22'47" West, assumed.
2. I hereby certify that the "Sketch of Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets Minimum Technical Standards for Land Surveying CH. 61G17-6 requirements.
3. Not valid without the signature and raised seal of a Florida licensed surveyor and mapper.


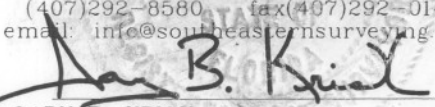
LEGAL DESCRIPTION	Date: 11/10/2006 CMA		CERT. NO. LB2108 49459013
FOR Inwood Consulting Engineers	Job No.: 49459013	Scale: 1"=60'	 SOUTHEASTERN SURVEYING & MAPPING CORP. 6500 All American Boulevard Orlando, Florida 32810-4350 (407)292-8580 fax (407)292-0141 email: info@southeasternsurveying.com  GARY B. KRICK REGISTERED LAND SURVEYOR NO. 4245
	CH. 61G17-6, Florida Administrative Code requires that a legal description drawing bear the notation that THIS IS NOT A SURVEY. Not valid without sheet 2.		
	SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH		

EXHIBIT "A-2"

SKETCH OF DESCRIPTION

NORTH LINE OF NE 1/4 OF SECTION 4,
TOWNSHIP 20 SOUTH, RANGE 30 EAST

COUNTY ROAD 46A

RIGHT OF WAY AS SHOWN ON
SEMINOLE COUNTY RIGHT OF WAY MAP
COUNTY ROAD 46A, SHEET 11 OF 15

S89°37'13"W
27.62'

WESTERLY
RIGHT OF
WAY LINE

POINT OF
COMMENCEMENT
NE CORNER OF NW
1/4 OF THE NE 1/4
OF SECTION 4,
TOWNSHIP 20 SOUTH,
RANGE 30 EAST

PARCEL ID
04-20-30-300-003A-0000
CITY OF SANFORD

BLOCK 1
LOCH HARBOR
PLAT BOOK 5, PAGES 72-73

LINE TABLE

LINE	LENGTH	BEARING
L1	4.00'	N89°56'15"W
L2	3.48'	N89°56'15"W
L3	5.18'	N89°57'04"E

NOT PLATTED

PARCEL ID
04-20-30-300-0030-0000
MAYFAIR COUNTRY CLUB

SUNSET DRIVE
50' RIGHT-OF-WAY
PER PLAT BOOK 5, PAGES 72-73

BLOCK 12
LOCH HARBOR
PLAT BOOK 5, PAGES 72-73

EAST LINE OF THE NW 1/4 OF THE NE 1/4 OF
SECTION 4, TOWNSHIP 20 SOUTH, RANGE 30 EAST

COUNTRY CLUB ROAD

60' RIGHT-OF-WAY
PER PLAT BOOK 5, PAGES 72-73

L1

WESTERLY RIGHT OF WAY LINE

THIS IS NOT A SURVEY.

1" = 60'
GRAPHIC SCALE



SOUTHEASTERN SURVEYING & MAPPING CORP.
6500 All American Boulevard
Orlando, Florida 32810-4350
(407)292-8580 fax(407)292-0141
email: info@southeasternsurveying.com

DESCRIPTION:

A portion of the Northwest 1/4 of the Northeast 1/4 of Section 4, Township 20 South, Range 30 East, Seminole County, Florida, being more particularly described as:

Commence at the Northeast corner of the Northwest 1/4 of the Northeast 1/4 of said Section 4; thence along the East line of the Northwest 1/4 of said Section 4 South 00°22'47" East, 887.80 feet to a line perpendicular to said East line; thence along said perpendicular line South 89°37'13" West, 19.79 feet to the Westerly Right of Way Line of Country Club Road, as recorded in Plat Book 5, Pages 72-73, Public Records of Seminole County, Florida, said point being the POINT OF BEGINNING; thence along said Westerly Right of Way Line South 01°01'04" East, 300.73'; thence departing said Westerly Right of Way Line North 89°56'15" West, 2.00 feet to a point on a line 2.00 feet West of and parallel with said Westerly Right of Way Line, thence along said parallel line North 01°01'04" West, 300.73 feet; thence departing said parallel line South 89°56'15" East, 2.00 feet to the POINT OF BEGINNING.

Containing 601.0 square feet, more or less.

SURVEYORS NOTES:

1. Bearings shown hereon are based on the East Line of the Northwest 1/4 of the Northeast 1/4 of Section 4, Township 20 South, Range 30 East, being North 00°22'47" West, assumed.
2. I hereby certify that the "Sketch of Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets Minimum Technical Standards for Land Surveying CH. 61G17-6 requirements.
3. Not valid without the signature and raised seal of a Florida licensed surveyor and mapper.


LEGAL DESCRIPTION	Date: 11/14/2006 CMA		CERT. NO. LB2108 49459014
FOR Inwood Consulting Engineers	Job No.: 49459014	Scale: 1"=50'	 <p>SOUTHEASTERN SURVEYING & MAPPING CORP. 6500 Al American Boulevard Orlando, Florida 32810-4350 (407)292-8580 fax(407)292-0141 email: info@southeasternsurveying.com</p> <p><i>Gary B. Krick</i> GARY B. KRICK REGISTERED LAND SURVEYOR NO. 4245</p>
	CH. 61G17-6, Florida Administrative Code requires that a legal description drawing bear the notation that THIS IS NOT A SURVEY.		
	Not valid without sheet 2.		
	SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH		

EXHIBIT "B-2"

SKETCH OF DESCRIPTION

COUNTY ROAD 46A

RIGHT OF WAY AS SHOWN ON
SEMINOLE COUNTY RIGHT OF WAY MAP
COUNTY ROAD 46A, SHEET 11 OF 15

NORTH LINE OF NE 1/4 OF SECTION 4,
TOWNSHIP 20 SOUTH, RANGE 30 EAST

POINT OF COMMENCEMENT
NE CORNER OF NW 1/4 OF THE
NE 1/4 OF SECTION 4, TOWNSHIP
20 SOUTH, RANGE 30 EAST

S89°37'13"W
19.79'

S00°22'47"E
887.80'

POINT OF
BEGINNING

L2

2.0'

WESTERLY RIGHT OF WAY LINE

300.73'

300.73'

N01°01'04"W

S01°01'04"E

COUNTRY CLUB ROAD

60' RIGHT-OF-WAY
AS SHOWN ON PLAT BOOK 5, PAGE 72-73

PARCEL ID
04-20-30-300-0030-0000
MAYFAIR COUNTRY CLUB

LINE TABLE

LINE	LENGTH	BEARING
L1	2.00'	N89°56'15"W
L2	2.00'	S89°56'15"E

NOT PLATTED



1" = 50'
GRAPHIC SCALE



Not valid without sheet 1.
Drawing No. 49459014
Date: 11/10/2006
Sheet 2 of 2
See Sheet 1 for Description
& Surveyors Report

THIS IS NOT A SURVEY.

NOT PLATTED

PARCEL ID
04-20-30-300-003C-0000
MAYFAIR COUNTRY CLUB



SOUTHEASTERN SURVEYING & MAPPING CORP.
6500 All American Boulevard
Orlando, Florida 32810-4350
(407)292-8580 fax(407)292-0141
email: info@southeasternsurveying.com

EXHIBIT "C-1"

LEGAL DESCRIPTION:

A portion of the West 1/2 of the Northeast 1/4 of Section 4, Township 20 South, Range 30 East, Seminole County, Florida, being more particularly described as follows:

Commence at the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of said Section 4; thence along the North Line of said Southwest 1/4, North 89°39'39" West, 1.44 feet to the Westerly extent of paved improvements of Country Club Road, said point being the POINT OF BEGINNING; thence along said Westerly extent the following courses and distances, South 00°25'51" East, 27.82 feet; thence South 00°23'22" East, 49.11 feet; thence South 00°33'18" East, 50.11 feet; thence South 00°30'04" East, 48.40 feet; thence South 00°19'13" East, 50.99 feet; thence South 00°43'03" East, 10.14 feet; thence South 00°10'02" East, 9.86 feet; thence South 00°35'52" East, 39.97 feet; thence South 00°44'43" East, 131.42 feet; thence South 00°35'33" East, 8.77 feet; thence South 00°20'02" East, 49.11 feet; thence South 00°32'01" East, 50.21 feet; thence South 00°31'03" West, 19.07 feet; thence South 00°48'16" East, 23.11 feet; thence South 00°44'14" East, 7.11 feet; thence South 00°08'52" East, 51.47 feet; thence South 00°25'44" West, 26.11 feet; thence South 00°50'48" East, 25.15 feet; thence South 00°31'55" East, 33.96 feet; thence South 00°11'28" East, 6.30 feet; thence South 00°23'10" East, 59.80 feet; thence South 00°10'51" East, 23.21 feet; thence South 00°26'00" East, 74.20 feet; thence South 00°39'06" East, 50.82 feet; thence South 00°07'26" East, 48.30 feet; thence South 01°09'46" West, 50.41 feet; thence South 02°37'27" West, 31.84 feet; thence South 07°25'28" West, 1.62 feet; thence South 20°41'42" West, 3.17 feet; thence South 13°56'27" West, 4.42 feet; thence South 86°10'29" East, 2.78 feet; thence South 03°49'31" West, 12.85 feet; thence South 04°56'26" West, 30.22 feet; thence South 02°41'14" West, 14.67 feet to the Easterly extension of the North Boundary of Mayfair Club Phase II, as recorded in Plat Book 54, Pages 84-85, Public Records of Seminole County, Florida; thence along said Easterly extension South 89°43'24" West, 28.74 feet; thence departing said Easterly extension, North 07°15'03" East, 66.94 feet; thence North 00°38'27" East, 164.14 feet; thence North 01°05'21" East, 126.81 feet; thence North 00°11'17" West, 511.69 feet; thence North 12°20'29" East, 16.15 feet; thence North 00°26'35" West, 63.07 feet; thence North 00°25'39" West, 175.64 feet to the North Line of the Southwest 1/4 of the Northeast 1/4 of aforesaid Section 4; thence continuing North 00°25'39" West, 48.66 feet; thence North 00°30'21" East, 112.05 feet; thence North 89°42'15" East, 13.47 feet to the aforesaid Westerly extent; thence along said Westerly extent South 00°17'45" East, 40.53 feet; thence South 00°21'46" East, 47.70 feet; thence South 00°04'44" East, 47.57 feet; thence South 00°25'51" East, 25.05 feet to the POINT OF BEGINNING.

Containing 25,128 square feet, more or less.

SURVEYORS NOTES:

1. Bearings shown hereon are based on the East Line of the Southwest 1/4, of the Northeast 1/4, of Section 4, Township 20 South, Range 30 East, Lake County, Florida, being North 00°22'47" East, assumed.
2. I hereby certify that the "Sketch of Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Minimum Technical Standards for Land Surveying CH. 61G17-6 requirements.
3. Not valid without the signature and raised seal of a Florida licensed surveyor and mapper.


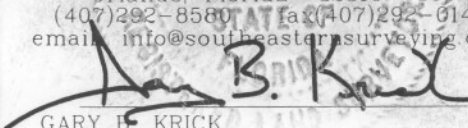
LEGAL DESCRIPTION	Date: 11/14/2006 CMA		CERT. NO. LB2108 49459015
	Job No.: 49459 Scale: 1"=150'		 SOUTHEASTERN SURVEYING & MAPPING CORP. 6500 All American Boulevard Orlando, Florida 32810-4356 (407)292-8580 AT Fax (407)292-0141 email: info@southeasternsurveying.com  GARY B. KRICK REGISTERED LAND SURVEYOR NO. 4245
	CH. 61G17-6, Florida Administrative Code requires that a legal description drawing bear the notation that THIS IS NOT A SURVEY.		
	NOT VALID WITHOUT SHEET 2. SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH		
FOR Inwood Consulting Engineers			

EXHIBIT "C-2"

SKETCH OF DESCRIPTION

EAST LINE OF THE NW 1/4 OF THE NE 1/4 OF SECTION 4, TOWNSHIP 20 SOUTH, RANGE 30 EAST

SOUTH LINE OF THE NW 1/4 OF THE NE 1/4 OF SECTION 4, TOWNSHIP 20 SOUTH, RANGE 30 EAST

NORTH LINE OF THE SW 1/4 OF THE NE 1/4 OF SECTION 4, TOWNSHIP 20 SOUTH, RANGE 30 EAST

WEST LINE OF THE NE 1/4 OF THE NE 1/4 OF SECTION 4, TOWNSHIP 20 SOUTH, RANGE 30 EAST

SOUTH LINE OF THE NE 1/4 OF THE NE 1/4 OF SECTION 4, TOWNSHIP 20 SOUTH, RANGE 30 EAST

NORTH LINE OF THE SE 1/4 OF THE NE 1/4 OF SECTION 4, TOWNSHIP 20 SOUTH, RANGE 30 EAST

POINT OF BEGINNING

POINT OF COMMENCEMENT
NE CORNER OF THE SW
1/4 OF THE NE 1/4 OF
SECTION 4, TOWNSHIP 20
SOUTH, RANGE 30 EAST

EAST LINE OF THE SW 1/4 OF THE NE 1/4 OF SECTION 4, TOWNSHIP 20 SOUTH, RANGE 30 EAST

WEST LINE OF THE SE 1/4 OF THE NE 1/4 OF SECTION 4, TOWNSHIP 20 SOUTH, RANGE 30 EAST



PARCEL ID
04-20-30-300-0030-0000
MAYFAIR COUNTRY CLUB

NOT PLATTED

NOT TO SCALE

LINE	LENGTH	BEARING
L1	27.82'	S00°25'51"E
L2	49.11'	S00°23'22"E
L3	50.11'	S00°33'18"E
L4	48.40'	S00°30'04"E
L5	50.99'	S00°19'13"E
L6	10.14'	S00°43'03"E
L7	9.86'	S00°10'02"E
L8	39.97'	S00°35'52"E
L9	131.42'	S00°44'43"E
L10	8.77'	S00°35'33"E
L11	49.11'	S00°20'02"E
L12	50.21'	S00°32'01"E
L13	19.07'	S00°31'03"W
L14	23.11'	S00°48'16"E
L15	7.11'	S00°44'14"E
L16	51.47'	S00°08'52"E

EASTERLY EXTENSION OF
NORTHERN BOUNDARY
OF PLAT BOOK 54,
PAGES 84-85

NORTHERN BOUNDARY
OF MAYFAIR CLUB PHASE II
PER PLAT BOOK 54,
PAGES 84-85

Not valid without sheet 1.
Drawing No. 49459015
Job No. 49459
Date: 11/14/2006
SHEET 2 OF 2
See Sheet 1 for Description

L44
L45
L46
L47
L48
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L38

511.69'

N00°11'17"W

NO RIGHT OF WAY
INFORMATION IN THIS AREA

N00°22'47"W

THIS IS NOT A SURVEY.

LINE	LENGTH	BEARING
L17	26.11'	S00°25'44"W
L18	25.15'	S00°50'48"E
L19	33.96'	S00°31'55"E
L20	6.30'	S00°11'28"E
L21	59.80'	S00°23'10"E
L22	23.21'	S00°10'51"E
L23	74.20'	S00°26'00"E
L24	50.82'	S00°39'06"E
L25	48.30'	S00°07'26"E
L26	50.41'	S01°09'46"W
L27	31.84'	S02°37'27"W
L28	1.62'	S07°25'28"W
L29	3.17'	S20°41'42"W
L30	4.42'	S13°56'27"W
L31	2.78'	S86°10'29"E
L32	12.85'	S03°49'31"W
L33	30.22'	S04°56'26"W
L34	14.67'	S02°41'14"W
L35	28.74'	S89°43'24"W
L36	66.94'	N07°15'03"E
L37	164.14'	N00°38'27"E
L38	126.81'	N01°05'21"E
L39	16.15'	N12°20'29"E
L40	63.07'	N00°26'35"W
L41	175.64'	N00°25'39"W
L42	48.66'	N00°25'39"W
L43	112.05'	N00°30'21"E
L44	13.47'	N89°42'15"E
L45	40.53'	S00°17'45"E
L46	47.70'	S00°21'46"E
L47	47.57'	S00°04'44"E
L48	25.05'	S00°25'51"E

NOT PLATTED

PARCEL ID
04-20-30-300-0030-0000
MAYFAIR COUNTRY CLUB



SOUTHEASTERN SURVEYING & MAPPING CORP.
6500 All American Boulevard
Orlando, Florida 32810-4350
(407)292-8580 fax(407)292-0141
Cert. No. LB-2108
email: info@southeasternsurveying.com